

# **TOWN OF BRIDGEVILLE**

*If you lived here, you would be home now.*

## **ORDINANCE NO. A11-2**

**AN ORDINANCE TO AMEND THE ZONING DISTRICT DESIGNATION FOR THE LANDS OF BALDWIN FAMILY FARMS, LLC AND HAYGROUND D, INC., FROM R-1/RPC SINGLE-FAMILY RESIDENTIAL/RESIDENTIAL PLANNED COMMUNITY DISTRICT TO R-1/AIOZ SINGLE-FAMILY RESIDENTIAL DISTRICT/AGRICULTURAL-INDUSTRIAL OVERLAY ZONE FOR CERTAIN PARCELS OF LAND LYING AND BEING IN THE TOWN OF BRIDGEVILLE CONSISTING OF 427.31 ACRES, MORE OR LESS**

WHEREAS, on the 23<sup>rd</sup> day of June, 2011, an application was filed on behalf of Baldwin Family Farms, LLC and Hayground D, Inc.; and

WHEREAS, on the 16<sup>th</sup> day of August, 2011, a public hearing was held before the Planning and Zoning Commission and the Commission recommended to the Commissioners of Bridgeville that the application be granted, with conditions; and

WHEREAS, on the 12<sup>th</sup> day of September, 2011, a public hearing was held, after notice, before the Commissioners, and based on the Finding of Facts, it determined that said application for amendment to the zoning district designation promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Bridgeville and that the change of zone is for the general convenience and welfare of the inhabitants of Bridgeville;

**NOW THEREFORE, THE COMMISSIONERS OF BRIDGEVILLE HEREBY ORDAIN:**

Section 1. Pursuant to the Bridgeville Land Use and Development Code, an amendment to the zoning district designation from R-1 Single-Family Residential District/Residential Planned Community to R-1 Residential District/AIOZ Agricultural-Industrial Overlay Zone is granted to the property hereinafter described, to wit:

ALL those certain tracts, pieces or parcels of land lying and being situate in the Town of Bridgeville, Sussex County, Delaware, designated on the Tax Maps of Sussex County Department of Finance as Map Nos. 1-31-10.00-45.00, 46.01, 49.00, 50.00, 51.00 and 72.01, containing 427.31 acres, more or less.

Section 2. This approval is subject to the Conditions of Approval, attached hereto and made a part hereof, and to all other applicable rules and regulations, ordinances, statutes and laws.

Section 3. This Ordinance shall take effect immediately upon its adoption by a majority vote of all the members elected to the Commissioners of Bridgeville.

COMMISSIONERS OF BRIDGEVILLE

By: Patricia M. Correll  
President

Attest:

[Signature]  
Secretary

Date of First Reading: August 8, 2011

Date of Second Reading: September 12, 2011

Adopted: September 12, 2011

### FINDINGS OF FACT

1. The subject properties are owned by Baldwin Family Farms, LLC and Hayground D, Inc.
2. The properties contain 427.31 acres, more or less and are located within the Lindenmere Project and were annexed into the municipal limits of the Town of Bridgeville as a part of that project.
3. The subject properties, as a portion of the Lindenmere project, were designated as R-1/RPC Single-Family Residential/Residential Planned Community; provided, however, that designation is subject to revocation pursuant to Land Use and Development Code § 234-38D.(3) because then-applicant failed to file an application for an zoning certificate within one year following the approval of the RPC final plan.
4. The subject site is not longer a part of the Lindenmere project and it is the intention of the applicant to use the site for agricultural, agribusiness, or residential purposes.
5. This application has been reviewed and approved by the Planning and Zoning Commission.

### CONDITIONS OF APPROVAL

1. The subject property shall not be used for the slaughtering or processing, or for the keeping or raising for sale, of cattle, sheep, goats, pigs, or hogs, or other large or small animals, including poultry or fish.